IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THURSDAY, THE SIXTH DAY OF JUNE

TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR. BILAL NAZKI, THE ACTING CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT APPEAL NO : 1049 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 13/03/2005 in WP NO : 22510 OF 2004 on the file of the High Court.)

Between:

1 Rajiv Gandhi Nagar Colony Nirvasitula Sankshema Sangham,
Regd.No. 2666/04,rep.by its President M. Hanumayya,

C/o. H.No.150/1, Rajiv Gandhi Nagar Colony, Bachipally,
Qutbullapur Mandal, Ranga Reddy District.
2 M. Hanumayya, S/o. Ilayya, C/o. H.No.150/1, Rajiv Gandhi

Nagar Colony, Bachipally, Qutbullapur Mandal, Ranga Reddy

District.
3 M.V.V. Satyanarayana, S/o. (Late) Veerraghavulu,
H.No. 37/17, Rajiv Gandhi Nagar Colony, Bachipally,
Qutubullapur Mandal, Ranga Reddy District.

..... APPELLANTS

AND

1 Government of Andhra Pradesh, Rep. by its Secretary,

Revenue Department, Secretariat, Hyderabad.

2 District Collector, Rangareddy District, Lakdikapool,

Hyderabad.
3 Joint Collector, Ranga Reddy District, Lakdikapool, Hyderabad.
4 Revenue Divisional Officer, Qutubullapur Mandal,

Qutubullapur, Ranga Reddy District.
5 Mandal Revenue Officer, Qutubullapur Mandal, Qutubullapur, Ranga Reddy District.
6 Commissioner of Police, Cyberbad, Lakdikapool, Hyderabad.

.....RESPONDENTS

Counsel for the Appellants:MR.V.VENKATARAMANA

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following :

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J U D G M E N T (Per the Hon'ble Sri Bilal Nazki, ACJ)

The writ petitioners were in possession of certain lands and had constructed huts over them. They were being removed and the huts were demolished. The Government claimed the land to be its own land and approached in the matter in terms of the Andhra Pradesh Land Encroachment Act, 1905. The writ petitioners claim that they had pattas over the land, which was denied by the Government and according to the Government, there were no records available with the Government to suggest that any pattas were granted. The writ petitioners further contend that they are in possession of sufficient evidence to show that they were owners of the land. Such questions, we are afraid, are not possible for this Court to decide in the writ proceedings. Therefore, we do not find any ground to interfere with the order passed by the learned Single Judge. However, if the writ petitioners/appellants have any doubts against the eviction and demolition, they are at liberty to seek appropriate remedy from appropriate Forum. The findings of the learned Single Judge with regard to the ownership of the land in question may not come in the way of the appellants in any future proceedings.

The writ appeal is accordingly dismissed. No order as to costs.

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(Bilal Nazki, ACJ)

9th June, 2005

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(G.Chandraiah,J)

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To

1 The Secretary, Government of Andhra Pradesh, Revenue

Department, Secretariat, Hyderabad.

2 The District Collector, Ranga Reddy District, Lakdikapool,

Hyderabad.

3 The Joint Collector, Ranga Reddy District, Lakdikapool,

Hyderabad.

4 The Revenue Divisional Officer, Qutubullapur Mandal,

Qutubullapur, Ranga Reddy District.

5 The Mandal Revenue Officer, Qutubullapur Mandal,

Qutubullapur, Ranga Reddy District.

6 The Commissioner of Police, Cyberbad, Lakdikapool,

Hyderabad.

7 Two C.Cs to the Government Pleader for Revenue, High Court

Buildings, A.P., Hyderabad (OUT)

8 Two C.D copies